App. ~~F. IX.~~ 4

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Legis

File No. 2-40

Serial Nos. 73

Previous References

Later References.

Legs 2-40 (78)
2-41 (58)
AV 25-42-8 to 13.

(6)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. One only

Part B for March 41

SUBJECT.

Enemy Property (Custody and Registration) Order 1939.

WD 0573—GPB—22,500—12-9-39

B.S. Shoubridge

3. 4. 41

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P Enemy Property (Custody and Registration) Order, 1939

General and Revenue Secretariat | File No. | of 194 . | [App. F. III-2

Serial No.

From

The Secretary to the Hon'ble the Resident in Mysore

F 18-40/W dated 26.2.41

re Enemy Custody Property (Custody and Registration) Order, 1939

The Residency have forwarded a copy of a letter from the Government of India and a Memorandum summarising the main provisions of the Enemy Property (Custody and Registration) Order, 1939. It is stated that the attention of all civil courts and Official Liquidators may be drawn to the Memorandum.

Under the Defence of India Rules, as applied to Mysore, the Order has also been made. Amendments to the Order made from time to time in British India have also been made in Mysore.

If approved, copy of the letter of the Government of India and the Memorandum will be sent to the High Court for such action as it may deem fit.

Submitted for orders with a draft.

A/

Law Secy) A may be done

I Member)

MAR 15 1941

Signed P 4728 d 19.3.41 to the Registrar High Court of Mysore

Legis 2-40-

NOTE—Contn. Sheet.

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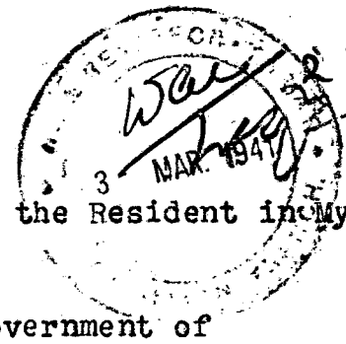
No.F.18-40/W.



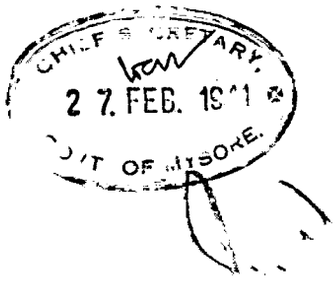
From

The Secretary to the Hon'ble the Resident in Mysore.

To

The Chief Secretary to the Government of

His Highness the Maharaja of Mysore, Bangalore.



Dated Bangalore, the 26th February 1941.

The Enemy Property (Custody and Registration) Order, 1939.

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Sir,

I am directed to refer to my letter No.F.18-40/W, dated the 24th January 1941 and to forward for information and favour of such action as may be considered necessary, a copy of a letter from the Government of India, Commerce Department, to all Provincial Governments, etc., No.49(41)-E.T./40, dated the 12th February 1941, with enclosure.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

KRly

VN

Copy of a letter No.49(41)-E.T./40, dated New Delhi, the 12th February 1941, from the Government of India, Commerce Department, to all Provincial Governments and all Chief Commissioners of Provinces

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Enemy Property (Custody and Registration) Order.

I am directed to forward a Memorandum summarising the main provisions of the Enemy Property (Custody and Registration) Order, 1939, published under rule 114(1) of the Defence of India Rules, and to request that, if the Provincial Government/ you have no objection, the attention of all the civil courts and the official liquidators and receivers in your Province may kindly be drawn to it.

2. Notifications connected with the Enemy Property (Custody and Registration) Order, have been endorsed to the Provincial Government/you from time to time. The order corrected upto the 30th November 1940 has also been issued as a priced publication (No.CD.46/500) and copies are obtainable on payment from the Manager of Publications, Civil Lines, Delhi, or from the Custodian of Enemy Property, Contractor Building, Ballard Estate, Bombay.

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M e m o r a n d u m.

The main provisions of the Enemy Property(Custody and Registration) Order, 1939, published under rule 114(1) of the Defence of India Rules are as follows: -

(a) Paragraph 3. Provides that all moneys ordinarily payable to an enemy shall, unless otherwise ordered by the Central Government, be payable to the Custodian of Enemy Property.

(b) Paragraph 4. Defines the powers of the Custodian with regard to the property of an enemy which has been vested in him.

(c) Paragraph 8. Provides for the submission of returns in the prescribed forms of particulars of any property held by or in the possession or control of persons, banks, companies or firms on behalf of or standing in the name or to the credit of enemies, (including enemy subjects detained in an internment camp in India) whose property may be vested in the Custodian.

2. It will be convenient if courts, official liquidators and receivers in the Province, and any other authorities concerned

would

would also submit to the Custodian of Enemy Property in the prescribed forms the necessary particulars in respect of any property of an enemy, which may come into their possession or control either as a result of insolvency proceedings or in any ~~xxx~~ other way whatsoever.

3. In cases of doubt provincial authorities may refer to : -

The Custodian of Enemy Property, Contractor Building, Ballard Estate, Bombay, or

The Deputy Custodian of Enemy Property, 22, Central Avenue, Calcutta, or

The Inspector of Enemy Firms and Assistant Custodian of Enemy Property, 28, General Patters Road, Madras, or

The Inspector of Enemy Firms and Assistant Custodian of Enemy Property, C/o Imperial Bank of India. Lahore.

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VN

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 19th March 1941.

No. P4928
Secl.

From

The General Secretary to the Government of His Highness the Maharaja of Mysore.
Law Department.

To

The Registrar,
High Court of Mysore,
Bangalore.

Sir,

I am directed to forward for such action as the High Court may consider necessary copy of a letter No. 49(41)-E.T./40, dated 12th February 1941 and enclosure thereto of the Government of India sent by the Residency.

I am to state that the Enemy Property (Custody and Registration) Order, 1939, has been published under the Defence of India Rules, as applied to Mysore.

I have the honor to be,
Sir,
Your most obedient servant,

For Secretary to Government
Law Department.

Lyi 2-10-73

The Registrar,
High Court of Mysore,
Bangalore.

Sir,

I am directed to forward for such action as the High Court may consider necessary copy of a letter No.49(41)-E.T./40 dated 12-24 and enclosure thereto of the Government of India sent by the Residency.

I am to state that the ~~Enemy~~ Enemy Property (Custody and Registration) Order, 1939, has been published under the Defence of India Rules, as applied to Mysore.

I have etc.,

1/10/73

Secretary to Government
Law Department.